United Nations A/C.1/69/L.48

General Assembly

Distr.: Limited
20 October 2014

Original: English

Sixty-ninth session
First Committee
Agenda item 96 (g)
General and complete disarmament: preventing and combating illicit brokering activities

Australia, Belize, Bulgaria, Burkina Faso, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Ireland, Italy, Japan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Ukraine and United Kingdom of Great Britain and Northern Ireland:
draft resolution

Preventing and combating illicit brokering activities

The General Assembly,

Noting the threat to international peace and security posed by illicit brokering activities circumventing the international arms control and non-proliferation framework,

Concerned that, if proper measures are not taken, the illicit brokering of arms in all its aspects will adversely affect the maintenance of international peace and security, and prolong conflicts, and could be an obstacle to sustainable economic and social development and result in illicit transfers of conventional arms and the acquisition of weapons of mass destruction by non-State actors,

Recognizing the need for Member States to prevent and combat illicit brokering activities, which covers not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery,

Reaffirming that efforts to prevent and combat illicit brokering activities should not hamper the legitimate arms trade and international cooperation with respect to materials, equipment and technology for peaceful purposes,

Recalling Security Council resolution 1540 (2004) of 28 April 2004, in particular paragraph 3, which determined that all States shall develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary,

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illicit trafficking and brokering of materials related to nuclear, chemical or biological weapons and their means of delivery, in accordance with their national legal authorities and legislation and consistent with international law,

Recalling also General Assembly resolution 67/43 of 3 December 2012,

Taking note of international efforts to prevent and combat illicit arms brokering, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[1] and the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[2]

Recognizing the importance of States parties to the Arms Trade Treaty taking measures, pursuant to their national laws, to regulate brokering taking place under their jurisdiction, in accordance with article 10 of the Treaty, which will enter into force on 24 December 2014,

Noting the adoption on 26 September 2013 of Security Council resolution 2117 (2013) on small arms and light weapons, in which the Council encourages cooperation and information-sharing on suspect brokering activities to address the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Noting also the report of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 of 8 December 2005 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons[3] as an international initiative within the framework of the United Nations,

Welcoming efforts to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and welcoming also in this regard the outcome document of the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, held in New York from 27 August to 7 September 2012,[4] including as it relates to illicit brokering of small arms and light weapons,

Underlining the inherent right of Member States to determine the specific scope and content of domestic regulations in accordance with their legislative frameworks and export control systems, consistent with international law,

Welcoming the efforts made by Member States to implement laws and/or administrative measures to regulate arms brokering within their legal systems,

Encouraging cooperation among Member States to prevent and combat illicit trafficking in nuclear materials, and recognizing in this regard existing efforts at all levels, consistent with international law,

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[1] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[2] United Nations, *Treaty Series*, vol. 2326, No. 39574.

[3] A/62/163 and Corr.1.

[4] See A/CONF.192/2012/RC/4, annex I.